

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

**FILED**  
OCT 06 2005  
CLERK'S OFFICE  
U.S. DISTRICT COURT  
EASTERN MICHIGAN

ARTHUR JOHNSON, JR.,

Petitioner,

Civil Action No.  
05-CV-73460-DT

vs.

HON. BERNARD A. FRIEDMAN

JUDGE PATRICK J. DUGGAN,

Respondent.



**ORDER DISMISSING PETITION FOR A WRIT OF MANDAMUS**

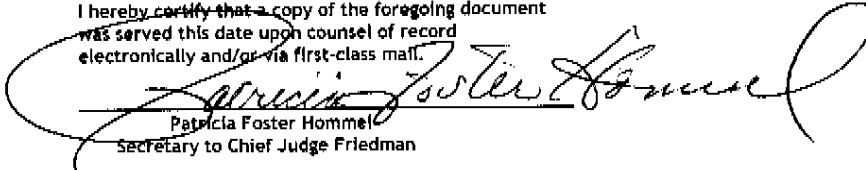
Petitioner seeks a writ of mandamus compelling a judge of this court, Patrick J. Duggan, "to act on petitioner's habeas corpus petition not later than ten days after receipt of a copy of this such order." The requested writ has been abolished in district court practice. *See* Fed. R. Civ. P. 81(b); 12 C. Wright & A. Miller, *Federal Practice and Procedure* § 3134 (1997). Further, this court has no jurisdiction over a case assigned to another judge of the same court. The court also notes that petitioner has filed a notice of appeal in his habeas case, so the matter is now before the court of appeals. Accordingly,

IT IS ORDERED that the petition is dismissed.

Dated: **OCT 06 2005**  
Detroit, Michigan

  
BERNARD A. FRIEDMAN  
CHIEF UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document  
was served this date upon counsel of record  
electronically and/or via first-class mail.

  
Patricia Foster Hommel  
Secretary to Chief Judge Friedman